



RECEIVED  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DEC 19 2012

USCA DOCKET # (IF KNOWN)

FILED  
DOCKETED

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
CIVIL APPEALS DOCKETING STATEMENT

RECEIVED  
CLERK U.S. DISTRICT COURT

DEC 14 2012

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

DISTRICT OF HAWAII

<b>TITLE IN FULL:</b>  <i>Complaint For Deprivation of Civil Rights. 42 U.S.C. 1983 42 U.S.C. 1985 42 U.S.C. 1986</i>	DISTRICT: <i>Hawaii</i>	JUDGE: <i>Helen Gillmor</i>
	DISTRICT COURT NUMBER: <i>CV-12-00336 HG BMK</i>	
	DATE NOTICE OF APPEAL FILED: <i>DEC. 13, 2012</i>	IS THIS A CROSS APPEAL? <i>No</i> YES
	IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY):	

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

*Challenge to Hawaii Revised Statute 134 denying the exercise of Second Amendment right to bear arms, concealed or unconcealed outside the home for purpose of self-defense. Challenge denied based on defendant's claim of sovereign immunity, Eleventh Amendment claim. Challenge dismissed without a hearing according to Hawaii Local Rule 7(d).*

PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL:

- (1) Second Amendment right to bear arms for purpose of personal self-defense exists outside of one's home with equal purpose and validity.*
- (2) Eleventh Amendment "sovereign immunity" is abrogated via Fourteenth Amendment Section 5 in the instance of violations of enumerated rights that reflects a substantial guarantee.*

PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POST-JUDGMENT MOTIONS):

*Christopher Baker v. Louis Kealoha, Ninth Circuit Court of Appeals, No. 12-16258*

DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:

Possibility of Settlement *No*

Likelihood that intervening precedent will control outcome of appeal *No*


Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify) *No*

Any other information relevant to the inclusion of this case in the Mediation Program *No*

Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges *No*

LOWER COURT INFORMATION			
JURISDICTION		DISTRICT COURT DISPOSITION	
FEDERAL	APPELLATE	TYPE OF JUDGMENT/ORDER APPEALED	RELIEF
FEDERAL <input checked="" type="checkbox"/> QUESTION  DIVERSITY  OTHER (SPECIFY): <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>	FINAL DECISION OF DISTRICT COURT <input checked="" type="checkbox"/>  INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT  INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY): <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div> OTHER (SPECIFY): <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>	DEFAULT JUDGMENT DISMISSAL/JURISDICTION DISMISSAL/MERITS SUMMARY JUDGMENT <input checked="" type="checkbox"/> JUDGMENT/COURT DECISION JUDGMENT/JURY VERDICT DECLARATORY JUDGMENT JUDGMENT AS A MATTER OF LAW OTHER (SPECIFY): <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"></div>	DAMAGES: SOUGHT \$ <u>1,000,000</u> AWARDED \$ <u>- 0 -</u> INJUNCTIONS: PRELIMINARY PERMANENT GRANTED <u><b>DENIED</b></u> ATTORNEY FEES: SOUGHT \$ <u>- 0 -</u> AWARDED \$ <u>- 0 -</u> PENDING COSTS: \$ <u>- 0 -</u>

CERTIFICATION OF COUNSEL
<b>I CERTIFY THAT:</b> 1. COPIES OF ORDER/JUDGMENT APPEALED FROM ARE ATTACHED.  2. A CURRENT SERVICE LIST OR REPRESENTATION STATEMENT WITH TELEPHONE AND FAX NUMBERS IS ATTACHED (SEE 9TH CIR. RULE 3-2).  3. A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SERVED IN COMPLIANCE WITH FRAP 25.  4. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE FILING REQUIREMENTS MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL OF THIS APPEAL.
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">              Signature         </div> <div style="text-align: center;"> <u>12/12/2012</u>             Date         </div> </div>
COUNSEL WHO COMPLETED THIS FORM
NAME <u>George K. Young, Jr. (Appellant Pro Se)</u>
FIRM _____
ADDRESS <u>1083 APOKO Place</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">CITY <u>Hilo</u></div> <div style="width: 15%;">STATE <u>HI</u></div> <div style="width: 40%;">ZIP CODE <u>96720</u></div> </div>
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">E-MAIL <u>Yorozuyo@aol.com</u></div> <div style="width: 55%;">TELEPHONE <u>(808)895-1735</u></div> </div>
FAX _____
<b>**THIS DOCUMENT SHOULD BE FILED IN DISTRICT COURT WITH THE NOTICE OF APPEAL. **</b> <b>**IF FILED LATE, IT SHOULD BE FILED DIRECTLY WITH THE U.S. COURT OF APPEALS.**</b>